

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,

Plaintiff(s),

vs.

NICHOLAS M. MALONE,

Defendant(s).

1:15-cr-31-JAJ-HCA

RECEIVED

JAN 29 2016

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY

The United States of America and the Defendant, having both filed a written consent, appeared before me pursuant to Rule 11, Fed. R. Crim. P. and L. Cr. R. 11. The Defendant entered a plea of guilty to Count(s) 1 and 2 of the Indictment. After cautioning and examining the Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea(s) was/were knowing and voluntary as to each count, and that the offense(s) charged is/are supported by an independent factual basis concerning each of the essential elements of such offense(s). There is no plea agreement. I, therefore, recommend that the plea(s) of guilty be accepted, that a pre-sentence investigation and report be prepared, and that the Defendant be adjudged guilty and have sentence imposed accordingly.

Date: Jan. 29, 2016

Helen C. Adams

HELEN C. ADAMS

UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. 636(b)(1)(B).